

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40843 of 2014

Arising Out of PS.Case No. -40 Year- 2014 Thana -MASAURHI District- PATNA

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Rakesh Kumar, Son of Late Rajeshwar Singh, Resident of Village – Tineri,
Police Station – Masaurhi, District – Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar, Advocate.

For the Opposite Party : Mr. Nirmal Kumar Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 24-06-2015 Heard both sides.

The petitioner apprehends his arrest in Masaurhi P.S.
Case No. 40 of 2014, registered for the offences punishable under
Section 409 and other Sections of the Indian Penal Code.

The allegation against the petitioner is that he installed
many solar lamps, but during the course of investigation it was
found that the solar lamps installed by the petitioner are of
substandard quality and the same were not purchased from Tata
Power Solar Ltd. and Exide Industries. Although, the purchase
receipts of Tata Power Solar Ltd. and Exide Industries were
furnished.

Shri Pramod Kumar, learned counsel for the petitioner
submits that in pursuance of the order passed in C.W.J.C. No.
21443 of 2012 and C.W.J.C. No. 12456 of 2013, the petitioner is

ready to install the entire solar lights within a period of three months and also ready to deposit the entire amount of Rs. 4,36,740/-.

Considering the facts aforesaid and the fact that the petitioner is ready to refund the entire amount within two months from the date of receipt/production of a copy of this order, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Masaurhi in Masaurhi P.S. Case No. 40 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. If the petitioner fails to deposit the amount within two months, the court below shall cancel the bail bond of the petitioner.

The deposited amount shall be subject to the result of the case.

(Prabhat Kumar Jha, J.)

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